

DEFENSE LOGISTICS AGENCY

DISTRIBUTION 5081 J AVENUE NEW CUMBERLAND, PENNSYLVANIA 17070:5059

19 May 2016

MEMORANDUM FOR DEPUTY COMMANDER, DLA DISTRIBUTION

- SUBJECT: Investigation Findings and Conclusions 1. <u>FINDINGS</u>: After investigating the allegations against (b) (6) it is my belief, based on the preponderance of the evidence tha (b) (6) engage in harassment and unprofessional conduct and did wrongfully divulge personal details of employees. 2. RECOMMENDATIONS: Not applicable. 3. BACKGROUND: Appointed as investigating officer on 15 April 2016 (Enclosure 1), I met with the GC on 18 April 2016 to obtain pertinent information reading the appointment. Interviews with potential witness were primarily conducted during face-to face interviews 26-28 April 2016. The initial allegations were provided by the GC in an e-mail from DHRS. a. In Enclosure 2, an e-mail outlines the initial allegations by (6) The allegations included in this e-mail include bullying, intimidation, threatening and unprofessional conduct including references of a sexual nature. b. Enclosure 3 sworn statement of (b) (6) provided information during an interview and subsequent sworn statement regarding multiple allegations of harassment and unprofessional conduct and the disclosure of personal information. (6) (6) alleged many incidents of harassment that could not be corroborated. (b) (6) provided a listing of issues along with statement also included at Enclosure 3. These incidents provided the names of other personnel that might have information related to this investigation and interviews were arranged with them. corroborates an incident noted by (b) (6)
 - c. Enclosure 4 the sworn statement of (b) (6) corroborates an incident noted by (b) (6) had an exchange that included reference to female anatomy that would be inappropriate. (b) (6) also relates the disclosure of (b) (6) and the workplace environment that "is vary [sic] disrespectful and degrading."
 - d. Enclosure 5 the sworn statement of (b) (6)

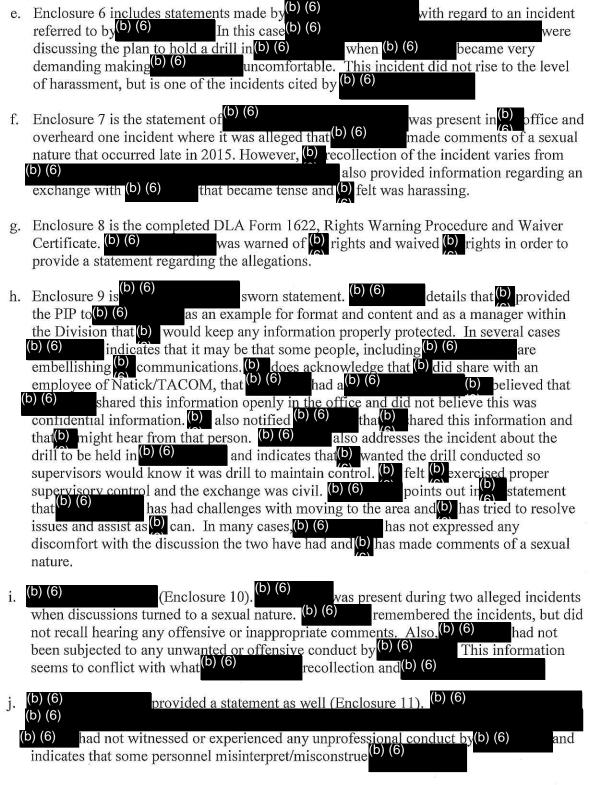
 change in the workplace environment and that (b) (6)

 In some measure, (b) (6)

 influenced by information received by (b) (6)

 confirmed that (b) (6)

 have any discussions of a sexual nature.



4. ISSUES AND ANALYSIS:

b. With regard to engaging in unprofessional conduct, including but not limited to discussions of a sexual nature (b) (6) had engaged in one discussion that was construed as being of a sexual nature. Specifically, (b) (6) provided	
information that (b) (6) referenced the female anatomy and made a hand gesture that could be considered offensive. This is also an incident contributing to the environment referenced above. In another incident regarding a conversation in the front lobby area of (b) (6) there are conflicting accounts. While (b) (6) indicate that (b) (6) made a sexual comment, their statements are not in agreement on what was actually said. Also (b) (6) does not indicate anything sexual and (b) (6) statement indicates (b) did not indicate anything of a sexual nature. It appears that those hearing the conversation may have drawn different conclusions based on what they think they heard.	21
c. With regard to allegations that (b) (6) wrongfully divulged personal details of employees to other personnel who had no official need to know. (b) (6) while discussing personal details in two instances did wrongfully divulge information. In the first instance it was alleged that (b) (6) while it does appear that (b) (6) was not collected by the agency through a(b) (6) (6) was not appreciated (b) complied with holding the information confidential.	
5 Enclosures:	
1. Appointment Memo Investigating Officer	

E-mail dtd 30 March, Sub.
 Statement of (b) (6)
 Statement of
 Statement of
 Statement of
 Statement of
 DLA Form 1622, Rights Warning Procedure and Waiver Certificate
 Statement of
 Statement of
 Statement of
 Statement of

12. Excerpt from Guide to EEO law and practice